

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Application of: **Charles M. Link, II et al.**

Docket No. 36968/190182

Serial No. 10/031,126

Filed: **December 14, 2001**

For: **METHODS AND APPARATUS FOR OVER-THE-AIR PROGRAMMING OF A WIRELESS UNIT**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Attention: Box PCT (Missing Parts)  
Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

Transmitted herewith are papers in the above-identified application.

- ☒ Formalities Letter – Notification of Missing Requirements.  
☒ Declaration and Power of Attorney.  
☐ No additional fee is required.

FOR:	NO. FILED	NO. EXTRA	SMALL ENTITY		OTHER THAN SMALL ENTITY	
			RATE	FEE	RATE	FEE
BASIC FEE			\$370		\$740	
TOTAL CLAIMS	31 - 20 =	11	x9 =		x18 =	0
INDEP. CLAIMS	4 - 3 =	1	x42 =		x84 =	0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+140 =		+280 =	
<input checked="" type="checkbox"/> LATE-FILING SURCHARGE			+65 =		+130 =	130
<input type="checkbox"/> FOREIGN LANGUAGE SURCHARGE			+130 =		+130 =	
<input type="checkbox"/> OTHER					+435 =	
			<b>TOTAL \$ 0</b>		<b>TOTAL</b>	<b>\$130</b>

- ☒ A check in the amount of \$130.00 is attached.  
☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 11-0855. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service on June 11, 2002 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label EL 910705809 US addressed to: Assistant Commissioner of Patents, Box PCT (Missing Parts), Washington, DC 20231.  
*Brenda Ozaki Holmes*  
Brenda Ozaki Holmes

KILPATRICK STOCKTON LLP  
1100 Peachtree Street, N.E  
Suite 2800  
Atlanta, Georgia 30309-4530  
Telephone: 404/815-6580

By: *Brenda Ozaki Holmes*  
Brenda Ozaki Holmes  
Attorney for Applicant  
Reg. No.: 40,339

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Charles M. Link, II et al.**

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<input type="checkbox"/> OTHER					+435=	
			TOTAL \$ 0		TOTAL	\$130

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KILPATRICK STOCKTON LLP  
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Suite 2800  
Atlanta, Georgia 30309-4530  
Telephone: 404/815-6500

By: Brenda Ozaki Holmes  
Brenda Ozaki Holmes  
Attorney for Applicant  
Reg. No.: 40,339



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,126	Charles M Link II	36968/190182

30314  
 JOHN S. PRATT  
 KILPATRICK STOCKTON LLP (BELLSOUTH)  
 1100 PEACHTREE STREET  
 SUITE 2800  
 ATLANTA, GA 30309

INTERNATIONAL APPLICATION NO.

PCT/US99/13459

I.A. FILING DATE

PRIORITY DATE

06/15/1999

CONFIRMATION NO. 2641

371 FORMALITIES LETTER



\*OC000000007838349\*

Date Mailed: 04/11/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the citizenship of each inventor.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1. '95 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

5/8/02  
 LUT  
**DATABASE  
 UPDATED**

**DOCKETED FOR** 6/11/02  
**ENTERED COMPUTER ON** 4/18/02 SHC

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,126	PCT/US99/13459	36968/190182

FORM PCT/DO/EO/905 (371 Formalities Notice)

JUN 10 2002 2:47PM

KILPATRICK STOCKTON

NO. 3367

P. 2

002

Attorney Docket No. 36968/190182

## DECLARATION FOR PATENT APPLICATION

☒ Original☐ Supplemental☐ Substitute☐ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND APPARATUS FOR OVER-THE-AIR PROGRAMMING OF A WIRELESS UNIT

(Title of the Invention)

the specification of which (check one)

☐ is attached hereto☒ was filed on June 13, 1999 as U. S. Application Serial Number or PCTInternational Application Number PCT/US99/13459

and was amended \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) or § 363(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified, by checking the box below, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	YES	NO	YES	NO

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below and claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(e) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

JUN 10 2002 2:48PM

KILPATRICK STOCKTON

NO. 3967

P. 1

Inventors: Charles M. Liak, II, Stephen Thomas Hardin and Megan Koch Klenzak  
 For: Methods and Apparatus for Over-the-Air Programming of a Wireless Unit  
 Declaration for Patent Application

Page 2

Signature	Name	Address	City	State	Zip

As a named inventor, I hereby revoke all prior powers and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

FIRM NAME: KILPATRICK STOCKTON LLP, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309-4530

Attorney and/or Agent	Registration No.
Charles Y. Lackey	22,787
John M. Harrington	25,592
John S. Pratt	29,476
A. Jose Cortina	29,733
Janice L. Ewing, IV	30,630
Charles W. Calkins	31,814
George T. Marcon	33,014
Dean W. Russell	33,452
Richard A. Clegg	33,485
Richard T. Peterson	35,320
Charles T. Simmons	35,359
Nora M. Tocaps	35,717
Bruce R. Gray	35,799
Theodore R. Harper	35,890
Goeff L. Suttelle	36,348

Attorney and/or Agent	Registration No.
Pat Winston Kennedy	36,970
James E. Rutland	37,432
Mitchell G. Stockwell	39,389
Michael J. Turton	40,852
Yencha L. Kandupughi	41,130
Benjamin D. Driscoll	41,571
Alana G. Kriegerman	41,767
J. Steven Gardner	41,772
James J. Bindsell	42,326
Edwin Thomas Washington	43,187
Concilia Cnapp Williams	43,592
Carl E. Massey	P 44,224
R. Whitney Winston	P 44,432
John William Ball, Jr.	P 44,433
Dawn-Marie Day	P 44,442
Tiep Nguyen	P 44,465

JUN 10 2002 2:46PM

KILPATRICK STOCKTON

NO. 3967 P. 4

004

Inventors: Charles M. Link, II, Stephen Thomas Hardin and Megan Koch Kleczak  
For: Methods and Apparatus for Over-the-Air Programming of a Wireless Unit  
Declaration for Patent Application  
Page 3

I acknowledge the above-listed attorneys and agents and their firm Kilpatrick Stockton LLP represent my employer (if I am an employee and this application has been or will be assigned to my employer) or the entity with which I have contracted (if I am an independent contractor and this application has been or will be assigned to such entity) and in such cases do not represent me individually. I further acknowledge I have not established, nor will I seek to establish, any personal attorney/client relationship with Kilpatrick Stockton LLP in connection with this application and understand that, should I require legal representation, I will obtain such, at my expense, other than through Kilpatrick Stockton LLP.

Send Correspondence to:

John S. Pratt, Esq.  
Kilpatrick Stockton LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309-4330

Direct telephone calls to:

Nora M. Tocups (404) 815-6213

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Charles M. Link, II

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 465 Abbeywood Drive, Roswell, Georgia 30075Citizenship USA

Post Office Address \_\_\_\_\_

Full name of second inventor Stephen Thomas Hardin

Inventor's signature \_\_\_\_\_

Date August 9, 1999Residence 3150 Ashly Brooke Drive, Snellville, Georgia 30078Citizenship USA

Post Office Address \_\_\_\_\_

Full name of third inventor Megan Koch Kleczak

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 2103 Oakwzima Road, Atlanta, Georgia 30345Citizenship USA

Post Office Address \_\_\_\_\_

100-110147-11 JUN 2002

#3

UNITED STATES RECEIVING OFFICE(RO/US) FEE CODING AND RECORDING SHEET										<input type="checkbox"/> ADD'L SHEETS	
<b>IDENTIFICATION OF THE INTERNATIONAL APPLICATION</b>											
INTERNATIONAL APPLICATION NUMBER						INTERNATIONAL FILING DATE					
APPLICANT (Name)											
<b>PAYMENTS</b>						<b>REFUNDS</b>					
Payment on Filing				Deposit Account		Deposit Account		To Deposit Account		To Deposit Account	
Deposit Account				DATE:		DATE:		DATE:		DATE:	
<input type="checkbox"/> CASH/CHECK				<input type="checkbox"/> CASH/CHECK		<input type="checkbox"/> CASH/CHECK		<input type="checkbox"/> BY CHECK		<input type="checkbox"/> BY CHECK	
150								159			
151											
153											
800											
801											
802											
899											
566		Total Paid:		Total Paid:		Total Paid:		Total Refunded:		Total Refunded:	
159											
States Included for 892:				892:		892:					
States Included for 893:				893:		893:					
RO/US Authorization				RO/US Authorization		RO/US Authorization		RO/US Authorization		RO/US Authorization	

06/18/2002 MKAYPAGH 00000071 10031126

01 FC:154 130.00 OP